

Notice of Allowability

Application No.

09/849,216

Examiner

Minh Dinh

Applicant(s)

WEE ET AL.

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to examiner's amendment authorized on 7/3/06.
2. ☒ The allowed claim(s) is/are 3-4, and 8-16.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William Zarbis on 7/03/06.

The claims have been amended as follows:

2. (Canceled).
3. (Currently Amended) The computer storage readable medium of Claim 4 wherein said header data portion of said data packet ~~stored therein~~ is encrypted.
4. (Currently Amended) A computer storage readable medium having a data packet stored ~~thereon~~ ~~therein~~ for causing a functional change in the operation of a transcoder, said data packet comprising:
 - a) a scalably encoded, progressively encrypted data portion; and
 - b) a header data portion corresponding to said scalably encoded, progressively encrypted data portion, said header data portion including information that when read by said transcoder identifies a truncation point in said scalably encoded, progressively encrypted data portion and allows said transcoder to efficiently transcode said scalably encoded, progressively encrypted data portion without decrypting, decoding, re-encrypting, and re-encoding said scalably encoded,

progressively encrypted data portion by truncating said scalably encoded, progressively encrypted data portion at said truncation point.

6. (Canceled)

7. (Canceled)

8. (Currently Amended) The computer storage ~~readable~~ medium of Claim 4 ~~having a data packet stored therein for causing a functional change in the operation of a transcoder~~ wherein said transcoder is selected from the group consisting of: general purpose networked computer systems, embedded computer systems, routers, switches, server devices, client devices, various intermediate devices/nodes, and stand alone computer systems.

9. (Currently Amended) The computer storage ~~readable~~ medium of Claim 4 ~~having a data packet stored therein for causing a functional change in the operation of a transcoder~~ wherein said scalably encoded, progressively encrypted data portion is selected from the group consisting of scalably encoded, progressively encrypted: video data, audio data, image data, graphic data, and web page data.

10. (Currently Amended) A computer storage ~~readable~~ medium having a data packet stored thereon ~~therein~~ for causing a functional change in the operation of a transcoder, said data packet comprising:

a) a scalably encoded, progressively encrypted data portion, said scalably encoded, progressively encrypted data portion having a truncation point identified therein, said identified truncation point enabling said a transcoder to perform transcoding of said data packet; and

b) a header data portion corresponding to said scalably encoded, progressively encrypted data portion, said header data portion including information that causes said transcoder to be able to transcode said scalably encoded, progressively encrypted data portion by said transcoder reading said header portion to identify said truncation point and truncating said data portion at said truncation point, said information included in said header data portion of said data packet stored therein enabling said transcoder to transcode said scalably encoded, progressively encrypted data portion without decrypting, decoding, re-encrypting, and re-encoding said scalably encoded, progressively encrypted data portion.

11. (Currently Amended) The computer storage readable medium of Claim 10 wherein said header data portion of said data packet ~~stored therein~~ is encrypted.

12. (Currently Amended) The computer storage readable medium of Claim 10 ~~having a data packet stored therein for causing a functional change in the operation of a transcoder~~ wherein said transcoder is selected from the group consisting of: general purpose networked computer systems, embedded computer systems, routers, switches, server devices, client devices, various intermediate devices/nodes, and stand alone computer systems.

13. (Currently Amended) The computer storage readable medium of Claim 10 ~~having a data packet stored therein for causing a functional change in the operation of a transcoder~~ wherein said scalably encoded, progressively encrypted data portion is selected from the group consisting of scalably encoded, progressively encrypted: video data, audio data, image data, graphic data, and web page data.

14. (Currently Amended) A computer storage readable medium having a data packet stored ~~thereon~~ ~~therein~~ for causing a functional change in the operation of a transcoder, said data packet comprising:

a scalably encoded, progressively encrypted data portion; and
a header portion corresponding to said scalably encoded, progressively encrypted data portion;

[[,]] said scalably encoded, progressively encrypted data portion having a truncation point identified therein, said identified truncation point enabling said transcoder to perform transcoding of said data packet by said transcoder reading said header portion to identify said truncation point and truncating said data portion at said truncation point; and

said scalably encoded, progressively encrypted data portion assembled by an encoding system such that said transcoder can transcode said scalably encoded, progressively encrypted data portion without decrypting, decoding, re-encrypting, and re-coding said scalably encoded, progressively encrypted data portion.

15. (Currently Amended) The computer storage readable medium of Claim 14 ~~having a data packet stored therein for causing a functional change in the operation of a transcoder~~ wherein said transcoder is selected from the group consisting of: general purpose networked computer systems, embedded computer systems, routers, switches, server devices, client devices, various intermediate devices/nodes, and stand alone computer systems.

16. (Currently Amended) The computer storage readable medium of Claim 14 ~~having a data packet stored therein for causing a functional change in the operation of a transcoder~~ wherein said scalably encoded, progressively encrypted data portion is selected from the group

consisting of scalably encoded, progressively encrypted: video data, audio data, image data, graphic data, and web page data.

2. The terminal disclaimer filed on 07/07/06 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US Patent No. 7,054,335 has been reviewed and is accepted. The terminal disclaimer has been recorded.

3. The following is an examiner's statement of reasons for allowance. The present invention is directed to a data packet stored on a computer storage medium and processed by a transcoder. More specifically, independent claims 4, 10 and 14 identify the uniquely distinct features: the data packet comprises a scalably encoded, progressively encrypted data portion; and a header portion corresponding to said scalably encoded, progressively encrypted data portion; said header portion including information that identifies a truncation point in the encrypted data portion; wherein the transcoder reads the information in the header portion to identify the truncation point and truncate the encrypted data portion according to the truncation point without decrypting, decoding, re-coding and re-encrypting the progressively encrypted data portion. The closest prior art include: (a) Zeng et al. (6,505,299) discloses a transcoder that

truncates encrypted data without decrypting and re-encrypting the encrypted data; however, Zeng's transcoder is required to decode and re-encode the data; (b) Hild et al. (6,763,460) discloses that data to be transcoded includes encrypted data parts and non-encrypted data parts wherein the non-encrypted data parts can be transcoded and the encrypted data parts are either deleted or left intact; and (c) Van Der Vleuten et al. (2002/0076043), which claims priority of provisional applications 60/239345 filed 10/11/2000 and 60/239659 filed 10/12/2000, teaches a data packet comprises a data portion; and a header portion corresponding to said data portion; said header portion including information that identifies a truncation point in the data portion; wherein the transcoder reads the information in the header portion to truncate the data portion without decoding and re-coding the data portion. However, Zeng, Hild and Van Der Vleuten, either alone or in combination, do not teach the specific features mentioned above. The prior art, taken either singly or in combination, fails to anticipate or fairly suggest the limitations of applicant's independent claim, in such a manner that a rejection under 35 U.S.C 102 or 103 would be proper. The claims are therefore considered to be in condition for allowance as being novel and nonobvious over prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays,

should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. An interference has not been declared because the claimed inventions, claims 4, 10 and 14 of the instant application and claim 8 of the Van Der Vleuten's application, are different for the following reasons: (i) the data portion of the instant application is progressively encrypted, and (ii) the progressively encrypted data portion of the instant application is truncated according to a truncation point and the truncation process can be done without decrypting, decoding, re-coding and re-encrypting the progressively encrypted data portion.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dinh whose telephone number is 571-272-3802. The examiner can normally be reached on Mon-Fri: 10:00am-6:30pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MD

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07/17/06


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